



U.S. Department of Energy
Energy Efficiency
and Renewable Energy

Bringing you a prosperous future where energy
is clean, abundant, reliable, and affordable

Federal Energy Management Program

Utility Energy Services Contracts: Enabling Documents Overview

Federal Utility Partnership Working Group

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Background of the Enabling Documents

- **Derived from the Legislative and Administrative Policy Book (Alternative Financing, in general):**
 - Overview of Legislative Administrative Policy
 - Differences between ESPC and “DSM”
 - GSA Utility Incentives
 - Energy Policy Act of 1992
 - Executive Order 12902
 - ESPC Rule
 - EAct Amendments – 42 USC 8256; 42 USC 8287; 10 USC 2865
 - DEPPMs for Utility Programs and ESPC Guidance
 - Comparison of Utility Programs for Civilian and Defense Agencies





UESC: Enabling Documents

- First version 2000; latest version 2001
- Background information materials clarifying the authority for Federal agencies entering into UESCs
- Standardize project financing when implementing energy management improvements
- Assists contracting officers, legal staff, technical representatives and utilities
- Build support for energy service projects





UESC: Enabling Documents

- Legislative and Executive Actions
- Legal Opinions – GSA, DOE
- Agency Guidance – DEPPMs; AFGMs (developed by FUPWG)
- Lessons Learned– 10 years experience of best practices by innovative energy managers (published separately too)
- Next Steps
 - Reference Guide
 - DOE Regional Contacts
 - UESC Model Agreement
 - GSA Model Areawide





Updating Enabling Documents

- New Legislation
- New Agency Policy & Guidance
 - Ex. – Procuring Energy Management Services with GSA Utility Areawide Contract
 - Sample Justification for Other Than Full and Open Competition
 - Definition of Energy Conservation Measures
 - Performance Assurance Guidance
- Sample Agreements
 - BOA
 - Task Orders
- Updating Model Agreement





Model Agreement Updates

- Financing
- Rebates
- Buy-downs





Enabling Documents Update

- Establish criteria for competing utility companies
- Funding availability issues
- Risk & Responsibilities

